

**FINANCIAL STATEMENT
EXECUTIVE DEPARTMENT**

December 31, 1964

Out of the General Revenue Fund:	Amount of Appropriation	Expended 4 Months	Balance
1. Governor	\$ 25,000	\$ 8,333	\$ 16,667
2. Lt. Governor While Acting Governor (Unexpended Balance from 1963-64)	7,797	1,219	6,578
3. Executive Assistant	15,000	4,375	10,625
4. Administrative Assistants	78,000	21,958	56,042
5. Coordinator for Aging	5,200	1,733	3,467
6. Salaries of Classified Positions, Wages and Seasonal and Part-time help (Includes UB from 1963)	235,507	61,286	174,221
Sub-total, Salaries and Wages	366,504	98,904	267,600
7. Travel Expense, consumable supplies and materials, current and recurring operating expenses, capital outlay, receptionist sup- plies, leaflets and equipment, and other ex- penses for which no other provisions are made (Includes UB for 1963)	54,650	11,920	42,730
8. Contributions incident to membership	63,000	38,000	25,000
9. Mansion expense including salaries of clas- sified positions, consumable supplies and materials, current and recurring operating expenses and capital outlay	62,646	9,785	52,861
10. Deficiency Grants (UB from 1963)	138,700	47,025	91,675
11. Emergency Appropriation H. B. No. 150 (Lapses 1-30-65)	10,000	9,096	904
12. Study of Higher Education (H. B. No. 150)	35,219	6,480	28,739
13. Southern Interstate Nuclear Board	5,000	5,000	
TOTAL	\$735,719	\$226,210	\$509,509

Adjournment

The President announced the purpose of the Joint Session having been concluded and declared the Senate at 12:00 o'clock m. adjourned until 10:30 o'clock a.m. tomorrow in accordance with a motion previously adopted in the Senate.

EIGHTH DAY

(January 28, 1965)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Colson
Bates	Creighton
Blanchard	Crump
Calhoun	Dies
Cole	Hardeman

Harrington	Reagan
Hazlewood	Richter
Herring	Rogers
Hightower	Schwartz
Kazen	Snelson
Kennard	Spears
Krueger	Strong
Moore	Watson
Patman	Word

Absent—Excused

Hall	Ratliff
Parkhouse	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Hall was granted leave of absence for today on account of important business on motion of Senator Word.

Senator Ratliff was granted leave of absence for today on account of important business on motion of Senator Hardeman.

Senator Parkhouse was granted leave of absence for today on account of important business on motion of Senator Krueger.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
January 28, 1965

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 8, In memory of Sir Winston Churchill.

H. C. R. No. 21, In memory of Judge Elwood Fouts.

H. C. R. No. 22, In memory of Cecil Clifford Rotsch.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Bills and Resolutions on First Reading

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

By Senator Hardeman:

S. B. No. 107, A bill to be entitled "An Act to establish and adopt a Code of Criminal Procedure for the State of Texas by revising and rearranging the statutes of this State which pertain to the trial of criminal cases; and by making various changes in, omissions from, and additions to such statutes; defining the meaning of certain words and terms used in the Code; and fixing the effective date of the Code; validating certain proceedings had under existing and prior statutes; repealing statutes and all laws or parts of laws in conflict with the Code; containing a severability clause; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Creighton:

S. B. No. 108, A bill to be entitled "An Act amending Acts 1953, 53rd Legislature of the State of Texas, Chapter 268 (Vernon's Article 8220-155) which created Wise County Water Supply District by enlarging and redefining the boundaries of Wise County Water Supply District; validating the appointment and the fixing of terms of the Board of Directors of such district; changing the method of appointing directors; prescribing methods of annexation of territory to the district; authorizing the district to construct facilities for receiving, treating and transporting water purchased from others; authorizing the district to contract with the city of Decatur for operation of the district's facilities by the said city; validating contracts heretofore made with others for the purchase of water; authorizing the district to employ the tax rolls of the city of Decatur and employ the tax assessor and collector of the said city; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Creighton:

S. B. No. 109, A bill to be entitled "An Act authorizing the Texas National Guard Armory Board to sell certain lands, buildings, and improvements when such property has been declared surplus to the needs of the National Guard; providing the conditions of such sale; providing for the deposit of revenues derived therefrom in the State Treasury; providing for the purposes for which such proceeds may be expended; making other provisions relating thereto; amending Section 7 of Article 5786, Senate Bill 279 of the 58th Legislature; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senators Krueger and Moore:

S. B. No. 110, A bill to be entitled "An Act amending Acts 1959, 56th Legislature, 3rd C. S., p. 187, Chapter 9 (compiled as Chapter 9 "Motor Fuel (Gasoline) Tax") as amended; levying a tax of five cents (5¢) per gallon on motor fuel used for producing power for the operation of vessels on the waterways of this State; defining certain terms; finding the amount of said tax to be not less than one per cent of all taxes

levied on motor fuel in this State; providing for the allocation of the tax levied by this Act; terminating certain refunds; providing for an effective date; providing a severability clause; repealing all laws in conflict; and declaring an emergency."

To the Committee on State Affairs.

By Senator Moore:

S. B. No. 111, A bill to be entitled "An Act making supplemental appropriations to the Animal Health Commission, the Board of Control, State Department of Health, the Texas Water Commission and the Texas Commission on Higher Education; authorizing the Texas Board of Corrections to convey certain state-owned land, to use proceeds from the conveyance to purchase other land to be used for correction purposes and making an appropriation; and declaring an emergency."

To the Committee on Finance.

By Senator Crump:

S. B. No. 112, A bill to be entitled "An Act authorizing the creation of a Hospital District comprising all of Uvalde County, Texas, and the assumption of all outstanding indebtedness of Uvalde County incurred for hospital purposes; providing that such District shall assume full responsibility for medical and hospital care for the eligible needy residing within the District and authorizing the admission to its hospital of persons who are able to pay; providing that such District shall not be created until authorized by a majority vote of the resident legally qualified property taxpaying voters in said District at an election called by the Commissioners' Court on its own motion or upon petition, at which election the proposition for the issuance of bonds of the District may also be submitted; prescribing the form of ballot for said election; providing that failure of any proposition at any such election shall not prohibit the calling and holding of subsequent elections for the same purpose; authorizing the levy of a tax by said District not exceeding Seventy-five Cents (75¢) on the One Hundred Dollars (\$100.00) valuation of taxable property for the purpose of maintaining and operating a hospital or hospitals and making additions and improvements thereto; providing for the appointment of a Board of Hospital Managers and prescribing its powers and duties;

authorizing the establishment of a retirement system for employees of the District; granting the power of eminent domain to the District; providing for the selection of a depository or depositories for funds of the District; prescribing the duties of officers and employees of the District and other officers of the County and State with respect to the District; prohibiting the levy of any tax by Uvalde County, or any city therein, for hospital purposes after the creation of the District; providing the method of assessing and collecting taxes; authorizing the issuance of bonds of the District and prescribing the procedure therefor; authorizing the issuance of refunding bonds by the District; authorizing the conveyance of all hospital properties by Uvalde County to the Hospital District; authorizing the Board of Hospital Managers to accept donations, gifts, and endowments for the Hospital District; making bonds of the District eligible for investment of certain funds and as security for certain deposits; making a finding that local notice has been properly given; providing a savings clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Calhoun:

S. B. No. 113, A bill to be entitled "An Act amending Paragraph (e) of Section 47 of the Texas Probate Code (Acts of 1955, 54th Legislature, p. 88, Chap. 55) so as to permit the proceeds from an insurance policy that is community property to be distributed as community property under Section 47, Paragraph (b) of the Texas Probate Code; repealing conflicting laws; providing for severability; and declaring an emergency."

To the Committee on Insurance.

By Senator Calhoun:

S. B. No. 114, A bill to be entitled "An Act amending the Texas Uniform Gifts to Minors Act to provide for the donation of life or endowment insurance policies and annuity contracts to a custodian for the benefit of a minor, under the Texas Uniform Gift to Minors Act; making the acquisition of life or endowment insurance policies and annuity contracts an authorized investment of custodial property under this Act; repealing all laws in conflict therewith; providing

a severability clause; and declaring an emergency."

To the Committee on Insurance.

By Senator Herring:

S. B. No. 115, A bill to be entitled "An Act relating to the certification of authenticity of certain records of the State Highway Department and Texas Department of Public Safety; amending Section 2a, Chapter 39, Acts of the 49th Legislature, 1945; and declaring an emergency."

To the Committee on State Departments and Institutions.

By Senator Rogers:

S. B. No. 116, A bill to be entitled "An Act relating to the eradication of swine diseases; amending Section 22a, Chapter 52, Acts of the 41st Legislature, 1st Called Session, 1929, as amended; providing a penalty; and declaring an emergency."

To the Committee on Agriculture and Livestock.

By Senators Harrington and Dies:

S. B. No. 117, A bill to be entitled "An Act making an emergency appropriation to the Lamar State College of Technology and declaring an emergency."

To the Committee on Finance.

By Senator Cole:

S. B. No. 118, A bill to be entitled "An Act providing for changes in the Firemen's Relief and Retirement Fund in certain cities in the state; amending Sections 6B, 7B, 7C, 12A, and 23A-1 and Subsection (d), Section 10E, Chapter 125, Acts of the 45th Legislature, Regular Session, 1937, as amended; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Cole:

S. B. No. 119, A bill to be entitled "An Act to provide that a tax collector may issue to certain people under certain circumstances a certificate showing that neither their land nor themselves are liable for delinquent taxes and that the liability for such taxes is thereafter a personal liability of the person under whom the taxes became delinquent and thereby making a court action to accomplish the same thing unnecessary; requiring the tax collector to issue an affidavit certifying that there has been no

fraud or collusion; and declaring an emergency."

To the Committee on State Affairs.

By Senator Cole:

S. B. No. 120, A bill to be entitled "An Act barring the collection of those taxes delinquent prior to and including December 31, 1939; amending Section 1, Chapter 128, Acts of the 44th Legislature, Regular Session, 1935, as amended; providing for an effective date; and declaring an emergency."

To the Committee on State Affairs.

By Senator Cole:

S. B. No. 121, A bill to be entitled "An Act to require teachers and pupils in Texas public schools to wear protective eye devices when participating in certain vocational, industrial arts, and chemical-physical courses or laboratories; and declaring an emergency."

To the Committee on Education.

By Senator Cole:

S. B. No. 122, A bill to be entitled "An Act amending Article 276, Code of Criminal Procedure of Texas, 1925, to allow a married woman to be surety on a recognizance or bail bond; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Cole:

S. B. No. 123, A bill to be entitled "An Act to amend Acts 1943, 48th Legislature, Page 619, Chapter 358, as amended by subsequent acts, the latest amendment being Acts 1961, 57th Legislature, 1st Called Session, Page 18, Chapter 5, known as and codified as Article 6243g of Vernon's Annotated Texas Statutes relating to municipal pension systems in certain cities of this State; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senators Strong, Parkhouse, Krueger, Herring, Calhoun, Spears, Creighton, Dies and Richter:

S. B. No. 124, A bill to be entitled "An Act concerning education, providing a ten-year plan for increases in the minimum salaries to be paid teachers in the public schools; providing for support of the cost of financing the Foundation School Program by local school districts; establishing

a program of State aid for supplemental salary payments to classroom teachers; providing a severability clause; and declaring an emergency."

To the Committee on Education.

By Senator Spears:

S. B. No. 125, A bill to be entitled "An Act authorizing boards of trustees of any independent school district located in a county having a population of between six hundred fifty thousand (650,000) and seven hundred fifty thousand (750,000), according to the last preceding Federal Census to make expenditures from local school funds of the district for the evaluation, counseling, and/or treatment of emotionally disturbed children; defining the term "emotionally disturbed children"; setting forth the power and authority of the board of trustees to make such expenditures and to contract for services rendered by nonprofit corporations; providing that the Act shall be cumulative of all laws of this state relating to the purpose for which public school funds may be expended; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senators Creighton, Krueger, Reagan, Word, Watson, Herring, Patman, Calhoun, Blanchard, Kennard, Richter, Strong, Harrington and Kazen.

S. J. R. No. 14, Proposing Amendments to Sections 4, 22 and 23 of Article IV of the Constitution of the State of Texas, so as to provide a four year term of office for the Governor, Lieutenant Governor, Attorney General, Comptroller of Public Accounts, Treasurer, Commissioner of the General Land Office and Secretary of State; providing for the necessary election and the form of the ballot; and providing for the necessary proclamation and publication.

To the Committee on Constitutional Amendments.

By Senator Schwartz:

S. J. R. No. 15, Proposing an Amendment to Section 16, Article III of the Constitution of Texas providing for open sessions of the House and Senate, providing for an election and the issuance of a proclamation therefor.

To the Committee on Constitutional Amendments.

By Senator Rogers:

S. J. R. No. 16, Proposing an Amendment to the Constitution of the State of Texas so as to make it mandatory that a Sheriff and a County Tax Assessor-Collector shall be elected in each county in the State of Texas at the General Election in November, 1968; providing further that if a majority of the voters voting in such election shall approve of adding a Sheriff and Tax Assessor-Collector in each county, then such officials so elected at the General Election in November 1968 shall serve for the constitutional terms of office provided for Sheriffs and Tax Assessor-Collectors.

To the Committee on Constitutional Amendments.

By Senator Richter:

S. J. R. No. 17, Proposing an amendment to section 14 of Article XVI of the Constitution of the State of Texas to provide that one (1) member of the several governing boards of the state senior colleges and universities may serve while not being a citizen or resident of the state.

To the Committee on Constitutional Amendments.

Reports of Standing Committees

Senator Rogers submitted the following report:

Austin, Texas,
January 28, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We your Committee on Agriculture and Livestock to which was referred S. B. No. 31, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ROGERS, Chairman.

Senator Hazlewood presented the following reports:

Austin, Texas,
January 28, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We your Committee on State Affairs, to which was referred S. B. No. 29, have had the same under consideration, and I am instructed to report it back to the Senate

with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,
January 28, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We your Committee on State Affairs, to which was referred S. B. No. 14, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,
January 28, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We your Committee on State Affairs, to which was referred S. B. No. 56, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Senator Krueger submitted the following report:

Austin, Texas,
January 27, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We your Committee on Water and Conservation, to which was referred S. B. No. 16, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KRUEGER, Vice-Chairman.

Senate Bill 16 Ordered Not Printed

On motion of Senator Harrington and by unanimous consent S. B. No. 16 was ordered not printed.

Senate Bill 31 Ordered Not Printed

On motion of Senator Hardeman and by unanimous consent S. B. No. 31 was ordered not printed.

Senate Bill 16 on Second Reading

Senator Harrington moved that Senate Rules 116, 13, and 38 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 16 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—27

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Patman
Cole	Reagan
Colson	Richter
Creighton	Rogers
Crump	Schwartz
Dies	Snelson
Hardeman	Spears
Harrington	Strong
Herring	Watson
Hightower	Word
Kazen	

Absent

Hazlewood

Absent—Excused

Hall	Ratliff
Parkhouse	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 16, A bill to be entitled "An Act amending Acts of 1962, 57th Legislature of the State of Texas, third called session, Chapter 34 (Vernon's Article 8097) by authorizing the district to issue its bonds in the denomination of \$100.00 and any multiple thereof; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 16 on Third Reading

Senator Harrington moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 16 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Dies
Bates	Hardeman
Blanchard	Harrington
Calhoun	Herring
Cole	Hightower
Colson	Kazen
Creighton	Kennard
Crump	Krueger

Moore	Snelson
Patman	Spears
Reagan	Strong
Richter	Watson
Rogers	Word
Schwartz	

Absent

Hazlewood

Absent—Excused

Hall	Ratliff
Parkhouse	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Patman
Cole	Reagan
Colson	Richter
Creighton	Rogers
Crump	Schwartz
Dies	Snelson
Hardeman	Spears
Harrington	Strong
Herring	Watson
Hightower	Word
Kazen	

Absent

Hazlewood

Absent—Excused

Hall	Ratliff
Parkhouse	

Senate Bill 31 on Second Reading

Senator Hardeman moved that Senate Rules 116, 13, and 38 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 31 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—23

Aikin	Hardeman
Blanchard	Harrington
Calhoun	Herring
Colson	Hightower
Creighton	Kazen
Crump	Krueger
Dies	Moore

Patman	Spears
Reagan	Strong
Richter	Watson
Rogers	Word
Snelson	

Nays—4

Bates	Kennard
Cole	Schwartz

Absent

Hazlewood

Absent—Excused

Hall	Ratliff
Parkhouse	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 31, A bill to be entitled "An Act relating to the sale at retail of imported fresh meats; requiring that signs be posted and labels be used to give notice that imported meats are sold; providing a penalty for violations of this Act; providing for severability; and declaring an emergency."

The bill was read second time.

Senator Spears offered the following amendment to the bill:

Amend S. B. No. 31 by adding the word "knowingly" between the words "shall" and "sell" on line 19, before the word "sold" on line 32, and between the words "who" and "violates" on line 49.

The amendment was adopted.

The bill as amended was passed to engrossment.

Record of Votes

Senators Kennard and Schwartz asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

Senate Bill 31 on Third Reading

Senator Hardeman moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 31 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—21

Aikin	Krueger
Blanchard	Patman
Calhoun	Reagan
Colson	Richter
Creighton	Rogers
Crump	Snelson
Dies	Spears
Hardeman	Strong
Harrington	Watson
Hightower	Word
Kazen	

Nays—5

Bates	Kennard
Cole	Schwartz
Herring	

Absent

Hazlewood	Moore
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Absent—Excused

Hall	Ratliff
Parkhouse	

The President laid the bill before the Senate on its third reading and final passage.

The bill was read the third time.

Senator Kennard offered the following amendment to the bill:

Amend S. B. No. 31 by striking Sec. 3(a) and re-numbering Sec. 3(b) to be Sec. 3.

The amendment was read and failed of adoption by the following vote:

Yeas—8

Cole	Kennard
Harrington	Krueger
Herring	Schwartz
Kazen	Spears

Nays—17

Aikin	Patman
Blanchard	Reagan
Calhoun	Richter
Colson	Rogers
Creighton	Snelson
Crump	Strong
Dies	Watson
Hardeman	Word
Hightower	

Absent

Bates	Moore
Hazlewood	

Absent—Excused

Hall	Ratliff
Parkhouse	

The bill as amended was then finally passed.

Record of Votes

Senators Kennard, Herring, Cole, and Schwartz asked to be recorded as voting "Nay" on the final passage of S. B. No. 31.

Co-Authors of Senate Joint Resolution 14

On motion of Senator Creighton and by unanimous consent Senators Krueger, Reagan, Word, Watson, Herring, Patman, Calhoun, Blanchard, Kennard, Richter, Strong, Harrington, and Kazen will be shown as co-authors of S. J. R. No. 14.

Senate Concurrent Resolution 15

Senator Hightower offered the following resolution:

S. C. R. No. 15, Designating March 1-5, 1965, as Public Schools Week.

Whereas, Texas Public Schools Week, originated in 1951 by the Texas Citizens Committee for Public Schools Week, has steadily grown in popularity and influence over the past twelve years attracting nearly two million visitors annually; and

Whereas, Since the local boards of education are duly and constitutionally delegated the responsibility for the efficient administration and operation of the public schools of Texas, it is fitting and desirable that the electorate of these boards be well-informed concerning their schools; and

Whereas, This annual observance provides opportunity for citizens to visit in the schools, and offers an interesting and practical means of encouraging their active participation in the continued progress of education in Texas; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that the Legislature join with the State Board of Education in urging the citizens of Texas to participate in the annual visitation programs of our public schools, and that visitors in the schools be reminded of each citizen's obligation and responsibilities as a contributing member of a free, self-governing society; and, be it further

Resolved, That the week of March 1 through 5, 1965, be hereby designated as the dates for the official Public Schools Week in Texas for the year 1965; and, be it further

Resolved, That a copy of this Resolution be sent to the Commissioner of Education and to the Chairman of the Texas Citizens Committee on Public Schools Week.

HIGHTOWER
CALHOUN
AIKIN
COLSON

On motion of Senator Hightower the reading of the resolution was dispensed with and he explained the resolution.

On motion of Senator Hightower and by unanimous consent the resolution was considered immediately and was adopted.

Report of Standing Committee

Senator Rogers submitted the following report:

Austin, Texas,
January 28, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We your Committee on Agriculture and Livestock, to which was referred S. B. No. 75, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ROGERS, Chairman.

Senate Bill 75 Recommitted

On motion of Senator Rogers and by unanimous consent S. B. No. 75 was recommitted to the Committee on Agriculture and Livestock.

Senate Bill 47 on Second Reading

Senator Watson moved that Senate Rules 116, 13, and 38 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 47 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—26

Aikin	Colson
Blanchard	Creighton
Calhoun	Crump
Cole	Dies

Harrington	Reagan
Hazlewood	Richter
Herring	Rogers
Hightower	Schwartz
Kazen	Snelson
Kennard	Spears
Krueger	Strong
Moore	Watson
Patman	Word

Absent

Bates	Hardeman
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Absent—Excused

Hall	Ratliff
Parkhouse	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 47, A bill to be entitled "An Act providing an exemption from the motor vehicle retail sales and use tax for certain sales and uses; adding Article 6.09 to Chapter 6, Title 122A, Taxation — General, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 47 on Third Reading

Senator Watson moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 47 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Patman
Colson	Reagan
Creighton	Richter
Crump	Rogers
Dies	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Absent

Bates	Hardeman
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Absent—Excused

Hall	Ratliff
Parkhouse	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Patman
Colson	Reagan
Creighton	Richter
Crump	Rogers
Dies	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Absent

Bates	Hardeman
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Absent—Excused

Hall	Ratliff
Parkhouse	

Senate Bill 64 on Second Reading

Senator Krueger moved that Senate Rules 116, 13, and 38 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 64 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—28

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Patman
Colson	Reagan
Creighton	Richter
Crump	Rogers
Dies	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word

Absent—Excused

Hall	Ratliff
Parkhouse	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 64, A bill to be entitled "An Act authorizing the Texas Historical Survey Committee to name natural geographical features; amending Chapter 500, Acts of the 55th Legislature, Regular Session, 1957, as amended, and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 64 on Third Reading

Senator Krueger moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 64 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Patman
Colson	Reagan
Creighton	Richter
Crump	Rogers
Dies	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word

Absent—Excused

Hall	Ratliff
Parkhouse	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Patman
Colson	Reagan
Creighton	Richter
Crump	Rogers
Dies	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word

Absent—Excused

Hall Ratliff
Parkhouse

Message From the Governor

The following message received from the Governor today was read and was referred to the Committee on Nominations:

Austin, Texas,
January 28, 1965.

To the Senate of the Fifty-Ninth Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be a member of the Fannin State Battleground Commission, for a six-year term to expire September 5, 1969: Mrs. W. W. Pettus of Goliad, Goliad County.

Respectfully submitted,
JOHN CONNALLY,
Governor of Texas.

Message From the Governor

The following message received from the Governor today was read and was filed with the Secretary of the Senate:

Austin, Texas,
January 28, 1965.

To the Members of the Fifty-Ninth Legislature, Regular Session:

Article III, Sec. 5 of the Texas Constitution provides that "When convened in regular session, the first thirty days thereof shall be devoted to the introduction of bills and resolutions, acting upon emergency appropriations, . . . and such emergency matters as may be submitted by the Governor in special messages to the Legislature . . ."

Accordingly, I herewith designate as emergency matters the following items.

1. A contingent appropriation from the General Revenue Fund of \$250,000 to the Animal Health Commission to finance the continuation of the Screwworm Eradication Program until August 31, 1965.

2. An appropriation of \$123,497 from the General Revenue Fund to the State Board of Control to pay electric and water utility expenses.

3. A contingent appropriation of \$26,788 from the General Revenue Fund to the State Department of

Health to finance mental health planning for the months of July and August, 1965.

4. An appropriation of \$290,000 from the General Revenue Fund to the Texas Water Commission to finance continued development of a long-range, comprehensive water resources program.

5. A contingent appropriation of \$12,500 from the General Revenue Fund to the Texas Commission on Higher Education to finance administration of the Higher Education Facilities Act for the months of July and August, 1965.

6. Authorization for the Texas Board of Corrections to sell certain property in Fort Bend, Walker and Harris Counties and deposit the proceeds in the Mineral Lease Fund and making an appropriation of \$3,000,000 from said fund to the Texas Board of Corrections to purchase certain land in Anderson and Freestone Counties for correction purposes.

7. An appropriation of \$828,580 from the General Revenue Fund to Lamar State College of Technology to finance the construction of a building to replace the science building destroyed by fire.

Respectfully submitted,
JOHN CONNALLY,
Governor of Texas.

**House Concurrent Resolution 7
on Second Reading**

On motion of Senator Spears and by unanimous consent, the regular order of business was suspended to take up for consideration at this time the following resolution:

H. C. R. No. 7, In memory of Dr. Virgil T. Blossom.

The resolution was read and was adopted by a rising vote of the Senate.

**House Concurrent Resolution 13
on Second Reading**

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 13, Congratulating the Denison Public Library and residents of Denison for their signal achievement in library work.

The resolution was read.

On motion of Senator Word and by unanimous consent the resolution was considered immediately and was adopted.

**Co-Author of Senate Joint
Resolution 11**

On motion of Senator Spears and by unanimous consent Senator Kennard will be shown as co-author of S. J. R. No. 11.

Welcome Resolutions

S. R. No. 48—By Senator Harrington: Extending welcome to Cary Young of Port Arthur.

S. R. No. 49—By Senator Herring: Extending welcome to students and

teachers of Wooten Elementary School of Austin.

S. R. No. 50—By Senator Word: Extending welcome to Dr. and Mrs. Billy Ward and children of Cleburne.

S. R. No. 53—By Senator Schwartz: Extending welcome to students and teachers of Booker T. Washington School of Texas City.

S. R. No. 54—By Senator Dies: Extending welcome to Mr. and Mrs. Daniel Jones of Nacogdoches.

Adjournment

On motion of Senator Blanchard the Senate at 11:55 o'clock a.m. adjourned until 10:30 o'clock a.m. on Monday, February 1, 1965.

In Memory of Travis B. Bryan, Sr.

Senator Moore offered the following resolution:

(Senate Resolution 51)

Whereas, On Monday, January 20, 1964, our country, state, nation and community lost one of our outstanding and prominent business and civic leaders in Bryan, Travis B. Bryan, Sr.; and

Whereas, He was a lifelong Democrat; Mr. Bryan was appointed chairman of the Selective Service Board before World War II and served in that capacity until he asked to be relieved several years after the war; and

Whereas, He served overseas in World War I as a private in the Army and on his return was discharged with the rank of Sgt.—I C I Ordnance U. S. A.; and

Whereas, Travis B. Bryan, Sr. was serving his fellowman as president of First National Bank of Bryan, and was the grandson of William Joel Bryan, the man who founded Bryan; and his grandfather was a nephew of the Father of Texas, Stephen F. Austin; and

Whereas, He was an active member of the First Presbyterian Church, Bryan; and most active in the Bryan Chamber of Commerce, which he joined in 1911, and served as chairman of virtually every committee of the chamber through the years and also as director on several occasions; and

Whereas, He was known as the "Father of Bryan Air Force Base." Mr. Bryan was a tireless worker for civic and school affairs; and he cherished the friendship and affection of his fellowman more than anything else; and

Whereas, As serving his community he had only two employers in his entire life: First National Bank and the Extension Service of Texas A & M University; he set up the Extension Service in 1910 by Colonel R. T. Milner, president of A & M; and after two years, resigned to become collector and stenographer to President H. O. Boatwright of First National Bank; he rose through the ranks serving in every capacity, and was elected president and chairman of the Board of Directors upon the death of Mr. Boatwright in 1933; and

Whereas, He secured the services for Brazos County of the Civil Aeronautics Administration, the United States Weather Bureau, and the service of Pioneer Air Lines established about 1946; and

Whereas, He became a Mason in 1913 and was an honorary life member since 1925 of the Waco Karem Temple, a member of the Council of the United States Chamber of Commerce, a charter member of the Rotary Club, Texas Heritage Foundation, member and director of the Texas Safety Council; and

Whereas, His civic activities are innumerable as he served on and as chairman of campaigns for the U S O, Red Cross, Salvation Army, China Relief, March of Dimes; and

Whereas, Mr. Bryan was honored with an appreciation dinner by his many friends in 1952 and was presented a plaque from the late Mrs. Lee J. Rountree, then editor of the Bryan Daily Eagle. The plaque read: "He Never Gives Up."; and tape recordings were played from his friends in Washington at the dinner, and among these recordings was a message from Senator Lyndon B. Johnson, now President of the United States; now, therefore, be it

Resolved, That the Senate of Texas does hereby express its deep abiding sympathy to the members of his family and that copies of this Resolution under the Seal of the Senate, be sent to his survivors, namely, his widow, the former Ruth Boatwright; a son, Travis B. Bryan, Jr.; and two grandsons, Travis B. Bryan III, and Timothy Norman Bryan; and be it further

Resolved, That a page be set aside in the Senate Journal as a memorial to Travis B. Bryan, Sr., and that when the Senate adjourns today that it do so in his memory.

MOORE

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Blanchard, Calhoun, Cole, Colson, Creighton, Crump, Dies, Hall, Hardeman, Harrington, Hazlewood, Herring, Hightower, Kazen, Kennard, Krueger, Parkhouse, Patman, Ratliff, Reagan, Richter, Rogers, Schwartz, Snelson, Spears, Strong, Watson, Word.

The resolution was read.

On motion of Senator Rogers and by unanimous consent the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

The resolution was then unanimously adopted by a rising vote of the Senate.

In Memory of
Judge Jesse Owens

Senator Hightower offered the following resolution:

(Senate Resolution 52)

Whereas, On January 24, 1965, the State of Texas and more particularly Wilbarger County lost an esteemed citizen and an outstanding public servant in the passing of Judge Jesse Owens; and

Whereas, Judge Owens was born October 28, 1895, in Albany, Kentucky, and moved to Crowell, Texas, with his parents in 1907; graduated from North Texas State, and taught school at Foard City, Vivian and Thalia; and

Whereas, He was elected county judge of Foard County in 1924 and served through 1927 in that capacity; he moved to Vernon in 1930, practiced law there for seven years and was elected district attorney for two terms; was assistant attorney general for two years; district judge of the 46th Judicial District for eight and a half years; assistant district attorney in Amarillo for four years; and returned to Vernon in 1962 to practice law; and

Whereas, He was a member of the State Bar of Texas, Vernon Bar Association, the First Baptist Church, and was well known in the legal and political world; and

Whereas, Judge Owens is survived by his wife; two sons, Lewis Owens of Levelland and Ned Owens of Garland; five brothers, J. N. Owens, Sr. of Vernon, Grover Owens of Crowell, John Owens of Abilene, Leo Owens of Bartlesville, Oklahoma, and Delbert Owens of Pontiac, Michigan; one sister, Mrs. Zelma Humphries of Fort Worth; and seven grandchildren; and

Whereas, It is the desire of the Senate of the 59th Legislature of the State of Texas to pay tribute to the memory of this great man; now, therefore, be it

Resolved, That when the Senate adjourns today, it do so in his memory, and that a page in the permanent Journal of the Senate be set aside as a memorial to him; and be it further

Resolved, That copies of this resolution be sent to Mrs. Jesse Owens and to the sons of Judge Owens.

The resolution was read and was adopted by a rising vote of the Senate.

In Memory of
Mr. Walter Tynan

Senator Spears offered the following resolution:

(Senate Concurrent Resolution 16)

Whereas, A most distinguished Texan, Mr. Walter Tynan, who served his State in this Senate with devotion and honor, was taken from us on Wednesday, January 20, 1965; and

Whereas, Mr. Tynan was a lifelong resident of San Antonio, a graduate of St. Mary's University, and holder of a law degree from the University of Texas; and

Whereas, He served his country in its hours of peril as a "pursuit" pilot in World War I and as a Lieutenant Colonel overseas in World War II; and

Whereas, He filled the office of District Attorney of Bexar County for four years with great vigor and ability and then served for six achievement-filled years in this Senate, where his character and hard work benefited his fellow members, Bexar County, and the State of Texas; and

Whereas, In these activities and in the practice of law and his participation in civic activities, Walter Tynan earned the admiration and respect of his fellow citizens; and

Whereas, He was devoted to his family and is survived by two sons, E. Walter Tynan, Jr., and Richard A. Tynan; two daughters, Miss Ann Tynan and Miss Mary Tynan; and two brothers, Leo Tynan and Harold Tynan, all of San Antonio; two sisters, Mrs. W. C. Davis of San Antonio, Mrs. Kenneth Wendler of Austin; and eight grandchildren; now, therefore, be it

Resolved, That when the Senate adjourns this day it do so as a mark of respect to this outstanding former Member; and be it further

Resolved, That a page be set aside in the Journal of the Senate as a tribute to his memory and that enrolled copies of this Resolution be sent to members of his immediate family.

SPEARS
HERRING
MOORE
AIKIN
KAZEN
COLSON
HARDEMAN
ROGERS

Signed—Lieutenant Governor Preston Smith; Bates, Blanchard, Calhoun, Cole, Creighton, Crump, Dies, Hall, Harrington, Hazlewood, Hightower, Kennard, Krueger, Parkhouse, Patman, Ratliff, Reagan, Richter, Schwartz, Snelson, Strong, Watson, Word.

The resolution was read.

On motion of Senator Aikin and by unanimous consent the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

The resolution was then unanimously adopted by a rising vote of the Senate.